



# Indiana 1 Percent Cap Waiver Extension Request

ESEA §111(b)(2)(D) and 34 CFR 200.6(c) and (d)

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## TABLE OF CONTENTS

Introduction	3
1 Percent Waiver Extension Request Requirements	4
Requirement 5 (§200.6(c)(4)(v)): Substantial Progress	4
Table 1: Comparison of the Number of LEAs Exceeding the 1 Percent Cap from 2016-2017 to 2018-2019	4
Table 2: Comparison of Alternate Assessment (AA) Participation Rates from 2016-2017 to 2018-2019	5
1 Percent Training and Guidance	5
Table 3: Comparison of ELA Alternate Assessment Participation Rates from 2016-2017 to 2018-2019	11
Table 4: Comparison of Mathematics Alternate Assessment Participation Rates from 2016-2017 to 2018-2019	13
Table 5: Comparison of Science Alternate Assessment Participation Rates from 2016-2017 to 2018-2019	14
Requirement 2 (§200.6(c)(4)(ii)): State-Level Data	15
A. State-Level Data of Alternate Assessment Identification Rate for the 2019-2020 School Year	15
Table 6: Alternate Assessment Identification Rates for ELA and Mathematics in 2019-2020	15
Table 7: Alternate Assessment Identification Rates for Science* in 2019-2020	16
B. State Measured Achievement of at Least 95 Percent of Students	16
Requirement 3 (§200.6(c)(4)(iii)): Assurances	17
A. State Assurance that LEAs Followed State Alternate Assessment Participation Guidelines	17
B. State Assurance that LEAs will Address Disproportionality of Subgroups	17
Requirement 4 (§200.6(c)(4)(iv)): State Plan and Timeline	18
A. Alternate Assessment Participation Criteria	18
B. LEA Oversight and Support	18
C. Disproportionality	19
Table 8: Timeline for all Requirement 4 Components	21
Public Comment	26
Submissions Commenting on the 1 Percent Threshold	26

## Introduction

Title 1 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA) [ESEA §111(b)(2)(D) and 34 CFR 200.6(c) and (d)], modifies the provision that students with the most significant cognitive disabilities may participate in alternate assessments based on alternate academic achievement standards. The Indiana Department of Education (IDOE)'s alternate assessment is titled Indiana's Alternate Measure (I AM) and measures student achievement according to Indiana's Content Connectors, which are aligned to the Indiana Academic Standards.

ESSA places a 1 Percent Cap on the number of students who may participate in alternate assessments. States that anticipate exceeding the 1 Percent Cap must submit a waiver request or waiver extension request to the U.S. Department of Education (USED).

**2016-2017:** The alternate assessment participation rates for 2016-2017, submitted in Indiana's original waiver request, were 1.25 percent for English/Language Arts (ELA) and mathematics and 1.30 percent for science. Based on this data, IDOE anticipated exceeding the 1 Percent Cap for the 2017-2018 alternate assessment administration in ELA, mathematics, and science and submitted the required waiver request on October 16, 2017. USED requested revisions to the original waiver request regarding high school science, resulting in IDOE submitting an addendum dated January 23, 2018. On May 7, 2018, IDOE received notification that USED had granted Indiana a waiver of section 1111(b)(2)(D)(i)(I) of the ESEA, allowing the State to assess more than 1.0 percent of the total number of students assessed in ELA and mathematics, but not science, on the alternate assessment.

**2017-2018:** The alternate assessment participation rates for 2017-2018, included in Indiana's waiver extension request, were 1.21 percent for ELA and mathematics and 1.26 percent for science. IDOE anticipated exceeding the 1 Percent Cap for the 2018-2019 alternate assessment administration in ELA, mathematics, and science and submitted the required waiver extension request on December 21, 2018. On April 15, 2019, IDOE received notification that USED had granted Indiana a waiver of section 1111(b)(2)(D)(i)(I) of the ESEA, allowing for the assessment of more than 1.0 percent of the total number of students assessed in ELA, mathematics, and science on the alternate assessment.

**2018-2019:** The alternate assessment participation rates for 2018-2019 were 1.14 percent for ELA, mathematics, and science. Based on this data, IDOE anticipated exceeding the 1 Percent Cap for the 2020 alternate assessment administration in ELA, mathematics, and science. Therefore, IDOE submitted the required waiver extension request on January 6, 2020. This Indiana 1 Percent Cap Waiver Extension Request documented that IDOE complied with all assurances outlined in IDOE's original waiver and achieved substantial progress toward each component of the prior year's plan and timeline. IDOE rescinded this request on April 1, 2020 due to the COVID-19 Waiver, which waived all assessment requirements including the 1 Percent Cap on Alternate Assessment Participation.

**2019-2020:** I AM was not administered in the spring of 2020 due to COVID-19. For this reason, Indiana used *identification* data, pulled during what would have been the Spring 2020 I AM Operational Window (April 29, 2020), in order to determine *estimated participation* rates per USED recommendation. The

2020 alternate assessment *identification* rates were 1.15 percent for ELA and mathematics and 1.05 percent for science. This is a slight increase from the 2019 *participation* rates in both ELA and mathematics but a decrease from the 2019 *participation* rate in science. IDOE contributes the increase in ELA and mathematics to the type of data that was collected. While identification data can provide an estimate of who will participate in the alternate assessment for the given year, it does not account for students who do not test due to absences, medical conditions, or other issues. IDOE contributes the decrease in science to the grades included in the calculation. Because the Biology ECA can be taken in any grade, 9-12, IDOE had no way of knowing which high school students would have taken this assessment in 2020. For this reason, only grades 4 and 6 were included in the calculation. Based on this data, IDOE anticipates exceeding the 1 Percent Cap for the 2021 alternate assessment administration in ELA, mathematics, and science. Therefore, IDOE is submitting the required waiver extension request. This Indiana 1 Percent Cap Waiver Extension Request documents that IDOE complied with all assurances outlined in IDOE’s original waiver and has achieved substantial progress toward each component of the prior year’s plan and timeline.

Multiple electronic resources are referenced as evidence of activities and requirements and are accessible online. Web links to these resources are embedded in the text of this document, allowing the reader to link directly to content-specific support documents.

## 1 Percent Waiver Extension Request Requirements

### Requirement 5 (§200.6(c)(4)(v)): Substantial Progress

IDOE has made substantial progress toward meeting the 1 Percent Cap on Alternate Assessment Participation since the original waiver was submitted and approved. This progress is evident in alternate assessment *participation* data and completion of State Plan and Timeline Activities outlined in this year’s waiver extension request. A comparison of 2016-2017, 2017-2018, and 2018-2019 data confirms Indiana’s progress toward reducing the number of students participating in the alternate assessment. Please note, 2019-2020 data is based on students who were *identified* to take the alternate assessment rather than those who actually participated (as with previous years). For this reason, the data shown under “Number of LEAs Exceeding the 1 Percent Cap in 2019-2020” is not included under “Difference Between 2016-2017 and 2018-2019.”

[Table 1](#) illustrates the reduction of the number of Local Education Agencies (LEAs) exceeding the 1 Percent Cap across content areas. [Table 2](#) illustrates the reduction in alternate assessment participation rates across content areas.

**Table 1: Comparison of the Number of LEAs Exceeding the 1 Percent Cap from 2016-2017 to 2018-2019**

Content Area	Number of LEAs Exceeding the 1 Percent Cap in	Number of LEAs Exceeding the 1 Percent Cap in	Number of LEAs Exceeding the 1 Percent Cap in	Number of LEAs Exceeding the 1 Percent Cap in	Difference Between 2016-2017 and 2018-2019

	2016-2017	2017-2018	2018-2019	2019-2020*	
<b>ELA</b>	190	186	166	184	-16.16%
<b>Mathematics</b>	189	186	165	184	-16.67%
<b>Science</b>	183	183	153	137	-22.34%

\*The data in this column is based on *identification* rates rather than *participation* rates due to the cancelation of the I AM assessment in the spring of 2020.

**Table 2: Comparison of Alternate Assessment (AA) Participation Rates from 2016-2017 to 2018-2019**

Content Area	AA Participation Rate 2016-2017	AA Participation Rate 2017-2018	AA Participation Rate 2018-2019	AA Identification Rate 2019-2020*	Difference Between 2016-2017 and 2018-2019
<b>ELA</b>	1.25%	1.21%	1.14%	1.15%	-0.11%
<b>Mathematics</b>	1.25%	1.21%	1.14%	1.15%	-0.11%
<b>Science</b>	1.30%	1.26%	1.14%	1.05%	-0.16%

\*The data in this column is based on *identification* rates rather than *participation* rates due to the cancelation of the I AM assessment in the spring of 2020.

## 1 Percent Training and Guidance

**Alternate Assessment Participation Training:** A [training webinar](#) and [slides](#) outlining federal and state requirements for the 1 Percent Cap on Alternate Assessment Participation are provided to LEAs and publicly posted on IDOE’s Alternate Assessment ESSA 1 Percent Cap webpage each school year. Those corporations over the 1 Percent Cap must provide assurances that specific stakeholders have reviewed the training.

**ICASE 1 Percent Cap Training:** Information regarding the 1 Percent Cap was shared at both of the Indiana Council of Administrators of Special Education (ICASE) bi-annual meetings by the OSE Director during her presentation to special education directors and their staff from across the state. These PowerPoint presentations are posted on OSE’s Moodle community, which is a communication portal used by OSE to share and relate information to educators.

**Accessibility and Accommodations Training:** IDOE provides an [accessibility and accommodations training](#) for statewide assessments, including I AM. Webinar topics include universal accessibility tools,

designated accessibility tools, and accommodations available to students. Viewing this training is an annual requirement for Test Administrators (TAs) and Corporation Test Coordinators (CTCs).

**Statewide Assessment Webpage Revision:** OSA's [website](#) and the [Indiana Assessment Portal](#) houses information, resources, training materials, and web links for special education professionals supporting students with disabilities. The webpage and portal are both updated regularly to provide the field with the most relevant information regarding I AM.

**Pretest Workshops for CTCs:** Live and recorded webinars are offered to CTCs in preparation for the spring assessment administration. During these trainings, the criteria for participation in I AM is discussed to ensure the appropriate students participate. Participation in Pretest Workshops is an annual requirement for CTCs. IDOE also offers a separate training for new CTCs.

**Test Administration Certification and Training:** IDOE and the testing vendor, American Institutes for Research (AIR), delivered 20 live I AM trainings in 15 different locations across the state during February and March of 2019. TAs preparing to administer I AM were required to attend one of these live sessions. If unable to attend, and approved by their CTC and IDOE, TAs could also complete a Moodle certification course or view a live stream of one of the training sessions. The Alternate Assessment Specialist was involved in the planning, content, and delivery of all trainings associated with the alternate assessment.

Since the initial administration of I AM, IDOE and Cambium Assessment, Inc. (CAI), formerly AIR, have offered an online training and certification course consisting of three training modules and a certification quiz in lieu of the live sessions. All I AM TAs must complete this training annually in order to administer I AM. The 2020-2021 certification course is available beginning January 25, 2021.

**Understanding I AM Webinar:** Each year, IDOE and CAI release a [webinar](#) providing an overview of I AM. This webinar is called Understanding I AM. The targeted audience is educators, administrators, and other school personnel involved in the administration of the alternate assessment.

**New I AM TA Training:** In addition to the required online course, new I AM TAs are required to attend a 30-minute training that highlights the most important aspects of I AM test administration. A recorded version of this live training is also available. The 2020-2021 New I AM Training will be presented on March 3, 2021 and posted to the I AM Portal following the live session.

**Question and Answer (Q and A) Sessions:** IDOE builds two Q and A sessions each year from the field's frequently asked questions regarding the administration of I AM. Any administrator or educator can attend one of these live webinars for additional clarification regarding the administration of I AM. The 2020-2021 I AM Q and A Sessions will be hosted on March 31, 2021 and April 1, 2021. Both sessions will be recorded and posted to the I AM Portal.

**I AM Training Frequently Asked Questions (FAQ):** IDOE and CAI developed an I AM Training FAQ following the deployment of the online certification course, New I AM TA Trainings, and Q and A Sessions outlining frequently asked questions regarding the administration of I AM. This document is

posted to the I AM Portal and shared via I AM listservs and Superintendent Dr. McCormick's weekly update. The 2020-2021 I AM Training FAQ is scheduled to be posted with the opening of the operational window on April 5, 2021.

**Alternate Assessment Participation Guidance:** IDOE sought input from multiple LEAs on the participation criteria documents, including [Participation Guidance](#), [Participation FAQ](#), and [Participation Flowchart](#). These documents explain participation in the alternate assessment and are posted on [IDOE's website](#).

**Accessibility and Accommodations Guidance:** IDOE updates its [Accessibility and Accommodations Guidance](#) annually to coincide with the new accommodations offered on I AM. This guidance is available on IDOE's website and outlines accommodations for all statewide assessments.

**Webinar Series for New Teachers of Students with Significant Cognitive Disabilities:** IDOE has collaborated with Project SUCCESS, which is part of the Indiana Resource Network, to develop and deploy a [webinar series](#) that targets new teachers of students with significant cognitive disabilities. This webinar series consisted of the following training sessions:

- [The Indiana Resource Network, August 19, 2020](#)
- [Unpacking the Content Connectors, September 16, 2020](#)
- [Indiana's Electronic IEP System \(IIEP\) Tips and Tricks, October 14, 2020](#)
- [A Focus on the I AM Assessment, November 18, 2020](#)

**Live Binder for Case Conference Committees:** IDOE, in collaboration with Project SUCCESS, developed a [Live Binder](#) Case Conference Committees with hundreds of resources for administrators, educators, and families. This resource was posted to IDOE's website in August of 2020.

**1 Percent One Pager for Families:** IDOE created and shared a one-page [document](#) with basic information regarding the 1 Percent Cap on Alternate Assessment Participation for families of students with significant cognitive disabilities in May of 2020.

**I AM Educator and Family Brochures:** Each year IDOE and CAI collaborate to deploy I AM brochures for [educators](#) and families. These brochures are available on the IDOE website. The family brochure is available in both [English](#) and [Spanish](#).

**Learner Characteristics Inventory Training:** [The Learner Characteristics Inventory](#) (LCI) is a set of thirteen questions about a student's learning. It must be completed by a TA each year prior to the administration of I AM. IDOE created a training that explains how this resource can be used to confirm the appropriate placement in the alternate assessment. [This training](#) is available on the IDOE website.

**Stimulus and Response Materials Guidance:** Per the recommendation of Indiana's Technical Advisory Committee (TAC), IDOE developed [guidance](#) regarding the use of stimulus and response materials that is acceptable for I AM. This guidance is referenced in the I AM Test Administrator's Manual (TAM) and is posted to IDOE's website.

**Three-Year Review Process for No Mode of Communication (NMC) Guidance:** IDOE has shared [guidance](#) regarding the three-year review process and Individualized Education Program (IEP) audit for students with NMC. This guidance was updated to note changes to the review process, given data was not available for 2020.

### **Additional 1 Percent Efforts**

Outlined below is a summary of personnel and activities that address exceeding the 1 Percent Cap on Alternate Assessment Participation.

**Office of Student Assessment (OSA) - Alternate Assessment Specialist:** This specialist oversees the alternate assessment (I AM) and leads the efforts related to the 1 Percent Cap on Alternate Assessment Participation. The Alternate Assessment Specialist serves as the assessment liaison to the Office of Special Education (OSE).

**OSE - Intense Interventionist Specialist:** This specialist is the special education liaison to the OSA beginning in August, 2019. This position now supports the efforts related to the 1 Percent Cap on Alternate Assessment Participation. The Intense Interventionist Specialist leads the Indiana Inclusive Communication Matters (IICM) Community of Practice (CoP) and is a monitoring team member involved in Indiana's Results Driven Accountability (RDA) system.

**OSE - Senior Special Education Specialist:** The senior specialist was the special education liaison to the OSA until August 2019. From January to August 2019, this position led the efforts related to the 1 Percent Cap on Alternate Assessment Participation, the IICM CoP, and the Indiana Resource Network (IRN) resource centers and is a monitoring team member involved in Indiana's RDA system.

**Office of Student Assessment-Accessibility Specialist:** This specialist focuses on accessibility for all students and provides guidance to the field regarding accommodations on all Indiana assessments.

**Multi-State Collaborative Groups:** IDOE participates in the National Center on Educational Outcomes (NCEO) 1 Percent Cap CoP bi-monthly webinars. IDOE also participates in the Council of Chief State School Officers (CCSSO) State Collaborative on Assessment and Student Standards (SCASS) Assessing Special Education Students (ASES) meetings.

**Webinar Series on Inclusion and State Assessments:** IDOE participated in three webinars focusing on inclusion and state assessments hosted by USED's Office of Elementary and Secondary Education (OESE) with the intent of sharing relevant information with the field. These webinars included:

- Meeting ESSA and Workforce Innovation and Opportunity Act (WIOA) Requirements: Alternate Assessments, and Inclusion of All Students, July 15, 2020
- How Do We Lower Our Alternate Assessment Participation Rate? Five States Share Their Stories, August 20, 2020



- Successfully Making and Implementing Participation and Accommodations Decisions for English Learners with Disabilities, August 27, 2020

**Stakeholder Feedback:** IDOE shares information, collaborates, and seeks feedback from stakeholders regarding the 1 Percent Cap on Alternate Assessment Participation. Stakeholders include LEAs, IRNs, Indiana's Parent and Training Information Center (INSOURCE), OSA's TAC, and OSA's Assessment Implementation Advisory Group (AIAG). IDOE is committed to educating stakeholders about alternate assessment participation issues and ensuring that only those students with the most significant intellectual impairments in Indiana participate in the alternate assessment.

**Results Driven Accountability (RDA):** OSE monitors LEAs based on the federal Office of Special Education's RDA system. LEA RDA determinations include areas of compliance as well as results and data timeliness. Within the assessment calculation, IDOE looks at growth and proficiency on state assessments, proficiency on the Indiana Reading Evaluation and Determination for Grade 3 Students (IREAD-3), and participation in the alternate assessment. LEAs were informed of the points possible out of each category, how many points their district received in those categories, and an overall percentage that correlates to one of the three Technical Assistance Tiers. OSE provided data retreats in December of 2020 that took place in each of the ICASE roundtable regions. OSE will also provide data retreats in the winter/spring of 2021 with the 1 Percent Cap on the alternate assessment as a potential breakout session.

**Indiana Inclusive Communication Matters (IICM):** IDOE collaborates with PATINS, an assistive technology and accessibility resource center, to facilitate a communication CoP that focuses on students with little to no mode of communication. IICM is composed of speech language pathologists, special education directors, teachers, resource centers, etc. and meets three times per year to provide assistance to educators in order to increase the number of students with a mode of communication so that they can participate in the classroom and on the alternate assessment. Educators reviewed LCI data to provide feedback. The stimulus and response chart was also reviewed, as it is included in the 2019-2020 IAM test administrators manual.

**IEP Data and CAI's Test Information Distribution Engine (TIDE):** IEP data from Indiana IEP (IIEP), along with CAI's TIDE connection, reinforce which students should be assessed using I AM in lieu of the general education assessment.

**LEA Visits:** In November and December of 2019, IDOE visited five LEAs across the state from varying geographic areas, populations, and sub groups. During these visits, IDOE collaborated with team members from the LEAs to discuss alternate assessment participation guidelines and procedures to ensure that only students with the most significant disabilities are taking the alternate assessment.

**1 Percent Research Project:** IDOE has partnered with Public Consulting Group (PCG) to conduct a 1 Percent Cap on Participation in Alternate Assessment Research Study. This study is guided by the following questions:

1. What are the characteristics of students who take the Alternate Assessment based on Alternate Academic Achievement Standards (AA-AAAS) statewide? How has the population changed over the past five years?
  - a. What are the demographics (e.g., race, ethnicity, socio-economic status)? How does this population compare with students overall in the state?
  - b. What are the students' eligibility categories, and in what least restrictive environment (LRE) placement setting do they receive most of their services?
  - c. What percentage of students have "no mode of communication" noted on their IEP?
  - d. In what grade level do students begin taking the alternate assessment?
2. What guidance has the state provided to districts regarding the decision-making process for taking the alternate assessment? How is it applied in districts and with IEP teams?
  - a. What is the process at the district/school level?
  - b. What are the differences between states and/or districts within states?
  - c. What rationale do districts provide for being over the 1 Percent Cap? Do these change over time?
3. What is the level of parent's awareness regarding the alternate assessment?
  - a. How do they understand the implication of their children taking the alternate assessment?
  - b. What is their role in the decision-making process?

Phase 1: Research and Plan Refinement, Phase 2: Data Collection, Phase 3: Data Analysis and Research Brief development. This work will conclude in late January of 2021. IDOE plans to use the information from this study to guide professional development efforts for LEAs and reassess current practices regarding the collection of assurances and justifications for the 1 Percent Cap on Alternate Assessment Participation.

**Review and Analysis of 2019-2020 Alternate Assessment *Identification* Rates:** IDOE staff reviewed and analyzed alternate assessment *identification* data from April 29, 2020. This data was pulled during what would have been the 2020 operational window for I AM. As previously stated, there was a slight increase when the alternate assessment *identification* rates were compared to the 2018-2019 *participation* rates in ELA and mathematics as well as in the number of LEAs that exceeded the 1 Percent Cap. There was a slight decrease when the alternate assessment identification rates were compared to the 2018-2019 participation rates in science as well as in the number of LEAs that exceeded the 1 Percent Cap. This is illustrated in [Table 1](#) and [Table 2](#). Indiana had a reduction in the percentage of students taking the alternate assessment in the subgroups American Indian or Alaska Native; Native Hawaiian or Other Pacific Islander; African American; Hispanic or Latino; White; Limited English Proficient (LEP) students; Economically Disadvantaged students; and Male and Female students when 2016-2017 ELA participation data is compared to 2018-2019 ELA participation data. Indiana had a reduction in the percentage of students taking the alternate assessment in the subgroups American Indian or Alaska Native; Native Hawaiian or Other Pacific Islander; African American; Hispanic or Latino; White; LEP students; Economically Disadvantaged students; and Male and Female

students when 2016-2017 mathematics participation data is compared to 2018-2019 mathematics participation data. Indiana had a reduction in the percentage of students taking the alternate assessment in the subgroups American Indian or Alaska Native; Asian; African American; White; LEP students; Economically Disadvantaged students; and Male and Female students when 2016-2017 science participation data is compared to 2018-2019 participation data. [Table 3](#), [Table 4](#), and [Table 5](#) illustrate these changes in the alternate assessment participation rates for all subgroups. LEAs received their alternate assessment *identification* data from 2020 on November 13, 2020.

**Table 3: Comparison of ELA Alternate Assessment Participation Rates from 2016-2017 to 2018-2019**

<b>Student Sub-Group</b>	<b>Percentage Participating in Alternate Assessment 2016-2017</b>	<b>Percentage Participating in Alternate Assessment 2017-2018</b>	<b>Percentage Participating in Alternate Assessment 2018-2019</b>	<b>Percentage Identified as Alternate Testers 2019-2020</b>	<b>Difference Between 2016-2017 and 2018-2019</b>
All Students	1.25%	1.21%	1.14%	1.15%	- 0.11%
American Indian or Alaska Native	1.44%	1.06%	0.93%	1.27%	-0.51%
Asian	0.82%	0.87%	0.86%	0.92%	+0.04%
Native Hawaiian or Other Pacific Islander	2.14%	2.46%	1.56%	1.50%	-0.58%
Black or African American	1.71%	1.57%	1.48%	1.50%	-0.23%
Hispanic or Latino	1.14%	1.15%	1.13%	1.08%	-0.01%
White	1.20%	1.16%	1.09%	1.10%	-0.11%
Two or more races	1.26%	1.21%	1.27%	1.24%	+0.01%
LEP students	2.55%	2.43%	1.54%	1.83%	-1.01%
Economically Disadvantaged students	1.62%	1.54%	1.41%	0.88%	-0.21%
Male	1.61%	1.55%	1.46%	1.49%	-0.15%
Female	0.88%	0.84%	0.81%	0.80%	-0.07%

**Table 4: Comparison of Mathematics Alternate Assessment Participation Rates from 2016-2017 to 2018-2019**

<b>Student Sub-Group</b>	<b>Percentage Participating in Alternate Assessment 2016-2017</b>	<b>Percentage Participating in Alternate Assessment 2017-2018</b>	<b>Percentage Participating in Alternate Assessment 2018-2019</b>	<b>Percentage Identified to Participate in Alternate Assessment 2019-2020</b>	<b>Difference Between 2016-2017 and 2018-2019</b>
All Students	1.25%	1.21%	1.14%	1.15%	-0.11%
American Indian or Alaska Native	1.44%	1.06%	0.92%	1.27%	-0.52%
Asian	0.79%	0.86%	0.86%	0.92%	+0.07%
Native Hawaiian or Other Pacific Islander	2.10%	2.45%	1.77%	1.50%	-0.33%
Black or African American	1.69%	1.57%	1.47%	1.50%	-0.22%
Hispanic or Latino	1.13%	1.14%	1.12%	1.08%	-0.01%
White	1.20%	1.16%	1.08%	1.10%	-0.12%
Two or more races	1.24%	1.20%	1.26%	1.24%	-0.00%
LEP students	2.41%	2.42%	1.53%	1.83%	-0.88%
Economically Disadvantaged students	1.60%	1.54%	1.40%	0.88%	-0.20%
Male	1.60%	1.55%	1.46%	1.49%	-0.14%
Female	0.88%	0.84%	0.81%	0.80%	-0.07%

**Table 5: Comparison of Science Alternate Assessment Participation Rates from 2016-2017 to 2018-2019**

<b>Student Sub-Group</b>	<b>Percentage Participating in Alternate Assessment 2016-2017</b>	<b>Percentage Participating in Alternate Assessment 2017-2018</b>	<b>Percentage Participating in Alternate Assessment 2018-2019</b>	<b>Percentage Identified to Participate in Alternate Assessment 2019-2020</b>	<b>Difference Between 2016-2017 and 2018-2019</b>
All Students	1.30%	1.26%	1.14%	1.05%	-0.14%
American Indian or Alaska Native	1.35%	1.35%	0.74%	0.43%	-0.61%
Asian	0.75%	1.00%	0.99%	0.82%	+0.24%
Native Hawaiian or Other Pacific Islander	2.40%	1.64%	1.78%	0.75%	-0.62%
Black or African American	1.74%	1.71%	1.54%	1.39%	- 0.20%
Hispanic or Latino	1.12%	1.22%	1.09%	0.95%	-0.03%
White	1.26%	1.20%	1.06%	1.01%	-0.20%
Two or more races	1.46%	1.09%	1.39%	1.10%	-0.07%
LEP students	2.45%	2.44%	1.48%	1.43%	-0.97%
Economically Disadvantaged students	1.66%	1.64%	1.40%	0.79%	-0.26%
Male	1.67%	1.62%	1.45%	1.37%	-0.22%
Female	0.93%	0.88%	0.81%	0.72%	-0.12%

Requirement 1 (§200.6(c)(4)(i)): Submission 90-Days Prior to State Testing Window

The 2020-2021 I AM operational window opens April 5, 2021 for grades 3-8 and high school in all content areas. [The 2020-2021 Indiana Assessment Windows Calendar](#) shows how the I AM window fits within the larger context of Indiana’s system of assessments. IDOE is submitting the 1 Percent Waiver Extension Request to the USED on December 28, 2020.

Requirement 2 (§200.6(c)(4)(ii)): State-Level Data

**A. State-Level Data of Alternate Assessment Identification Rate for the 2019-2020 School Year**

IDOE reviewed and analyzed LEA level alternate assessment *identification* rate data for ELA, mathematics, and science for the 2019-2020 academic year. Of the 389 LEAs statewide in 2019-2020, 184 surpassed the 1 Percent Cap in ELA and mathematics, and 137 LEAs surpassed the 1 Percent Cap in science.

[Table 6](#), [Table 7](#), and [Table 8](#) illustrate IDOE’s state-level data for the number and percentage of students in each subgroup who participated in the alternate assessment in ELA, mathematics, and science for the 2019-2020 academic year, respectively.

**Table 6: Alternate Assessment Identification Rates for ELA and Mathematics in 2019-2020**

Student Sub-Group	Number of Students Identified as General Testers	Number of Students Identified as Alternate Testers	Total Number of Students Identified	Percentage Identified as Alternate Testers
All Students	550,667	6,433	557,100	1.15%
American Indian or Alaska Native	934	12	946	1.27%
Asian	14,337	133	14,470	0.92%
Native Hawaiian or Other Pacific Islander	**	**	466	1.50%
Black or African American	70,812	1,071	71,258	1.50%
Hispanic or Latino	72,812	798	73,610	1.08%
White	363,769	4,057	367,862	1.10%
Two or more races	28,169	355	28,524	1.24%
LEP students	35,742	665	36,407	1.83%
Economically Disadvantaged students	272,809	2,424	275,233	0.88%

Male	281,538	4,260	285,798	1.49%
Female	269,129	2,173	271,302	0.80%

**Table 7: Alternate Assessment Identification Rates for Science\* in 2019-2020**

Student Sub-Group	Number of Students Identified as General Testers	Number of Students Identified as Alternate Testers	Total Number of Students Identified	Percentage Identified as Alternate Testers
All Students	157,360	1,673	159,033	1.05%
American Indian or Alaska Native	**	**	385	1.04%
Asian	4,224	35	4,259	0.82%
Native Hawaiian or Other Pacific Islander	**	**	190	0.53%
Black or African American	20,543	290	20,833	1.39%
Hispanic or Latino	21,077	203	21,280	0.95%
White	102,798	1,050	103,848	1.01%
Two or more races	8,355	93	8,448	1.10%
LEP students	12,051	175	12,226	1.43%
Economically Disadvantaged students	75,040	594	75,634	0.79%
Male	80,592	1,118	81,710	1.37%
Female	76,768	555	77,323	0.72%

\*These rates only include grades 4 and 6. IDOE was unable to determine rates for Biology. Any alternate tester in grades 9-12 is eligible, but there is no way for IDOE to determine who would have participated.

\*\* Student count was redacted in compliance with the Family Educational Records and Privacy Act, 20 U.S.C. 1232g; 34 CFR Part 99.

Some cells in Tables 6, 7, and 8 contain material that has been redacted to protect student privacy. Data are redacted in any cells that represent fewer than 10 students. In addition, at least two cells must be redacted where any total is available in order to prevent any cell required for redaction to be derived.

**B. State Measured Achievement of at Least 95 Percent of Students**

I AM was not administered in 2020 due to COVID-19. For this reason, IDOE is unable to determine State Measured Achievement of at Least 95 percent of Students for School Year 2019-2020.



## **Requirement 3 (§200.6(c)(4)(iii)): Assurances**

### **A. State Assurance that LEAs Followed State Alternate Assessment Participation Guidelines**

#### **Alternate Assessment Assurance and Justification Survey**

LEAs that exceeded the 1 Percent Cap on Alternate Assessment Participation based on identification rates for 2019-2020 completed the Alternate Assessment Assurance and Justification Survey in the fall of 2020. The Alternate Assessment Assurance and Justification Survey required LEAs to submit a justification for why they anticipate exceeding the 1 Percent Cap on Alternate Assessment Participation for the Spring 2021 testing window. The LEAs that anticipate exceeding the 1 Percent Cap on Alternate Assessment Participation also provided assurances for the following:

- The appropriate LEA staff (including Special Education Teachers, General Education Teachers, Building Administrators, CTCs, School Test Coordinators (STCs), Special Education Directors, and School Psychologists) have viewed the 2020-2021 Alternate Assessment Participation Webinar video. These stakeholders agree the appropriate students will participate in the Alternate Assessment during the 2020-2021 school year.
- The appropriate stakeholders (including Parents of Students with Significant Cognitive Disabilities, Special Education Teachers, Special Education Teachers, General Education Teachers, Building Administrators, CTCs, STCs, Special Education Directors, and School Psychologists) have reviewed the Alternate Assessment [Participation Guidance](#), [Flowchart](#), and [FAQ](#) provided on [IDOE's website](#). These stakeholders agree the appropriate students will participate in the Alternate Assessment during the 2020-2021 school year.
- The appropriate LEA staff (including Special Education Teachers, General Education Teachers, Building Administrators, CTCs, STCs, Special Education Directors, and School Psychologists) have reviewed the 1 Percent Disproportionality Data provided by IDOE in the RDA Planning Tool. These stakeholders agree any disproportionality will be addressed and the appropriate students will participate in the Alternate Assessment during the 2020-2021 school year.

### **B. State Assurance that LEAs will Address Disproportionality of Subgroups**

Indiana disaggregated disproportionality data based on identification rates for 2019-2020. IDOE utilized a relative risk ratio to analyze this data for all subgroups of students. Below is a list of subgroups included in the analysis.

1. Racial/Ethnic Groups
  - a. American Indian or Alaska Native
  - b. Asian
  - c. Pacific Islander or Other Pacific Islander
  - d. Black or African American
  - e. Hispanic or Latino
  - f. White (not Hispanic)
  - g. Two or more races (Multiracial not Hispanic)
2. LEP

3. Socio-Economic Status (as determined by Free and Reduced Price Lunch Status)
4. Gender
  - a. Male
  - b. Female

The survey described in **Section A. State Assurance that LEAs Followed State Alternate Assessment Participation Guidelines** requires the respondent to provide assurances that any disproportionality in the percentage of students in any one subgroup identified for or participating in the alternate assessment will be addressed by the LEA.

#### **Requirement 4 (§200.6(c)(4)(iv)): State Plan and Timeline**

Each of the components of the State Plan are outlined below, followed by a combined timeline of all activities ([Table 10](#)).

##### **A. Alternate Assessment Participation Criteria**

The alternate assessment participation criteria did not change for the 2020-2021 school year. This criteria is located within our electronic IEP system, IIEP. The criteria is also posted on the [alternate assessment webpage](#) and the [accountability webpage](#). The Alternate Assessment Specialist and Intense Intervention Specialist will continue to provide support to LEAs and special education staff on the current Alternate Assessment Participation Criteria.

##### **B. LEA Oversight and Support**

IDOE is committed to ensuring that only those students with the most significant cognitive disabilities participate in the alternate assessment. Indiana's plan is designed to provide data to LEAs regarding alternate assessment participation and to ensure that LEAs provide sufficient training to support special education staff in applying Alternate Assessment Participation Guidelines so that all students are appropriately assessed. Indiana's plan is as follows:

Universal Support Activities for All LEAs:

- IDOE developed a [webinar series](#) for new teachers of students with significant cognitive disabilities. The purpose of this webinar series is to help inform new teachers about the resources that are available pertaining to their students with significant needs.
- A [Live Binder for Case Conference Committees](#) is available to parents, teachers, and administrators and provides several resources that address the alternate assessment and 1 Percent Cap on Alternate Assessment Participation.
- A recording of the [Formative Assessment Webinar for Educators of Students with Significant Cognitive Disabilities](#) is publicly available to support formative assessment strategies for educators of students with significant intellectual disabilities.
- Indiana's [RDA system](#) includes alternate assessment participation as a subcomponent within the calculation. LEAs are informed of the points possible out of each category, how many points their district received in those categories, and an overall percentage that correlates to one of the Technical Assistance Tiers in the [RDA Guidebook](#). In addition to individualized RDA tiered support, IDOE will provide universal support by offering regional data retreats, which will be

open to all LEAs in December of 2020. Alternate assessment participation data will be included in the data review.

- In addition to IDOE, IRNs will provide support to LEAs that exceed the 1 Percent Cap. Technical assistance may include on-site visits, webinars, emails, and/or phone calls.
- An [optional data workbook](#) was developed and shared via webinar to help LEAs disaggregate data in multiple ways (i.e., eligibility category, school, grade level).
- [1 Percent Cap Webinars](#) for special education directors and educators are posted to IDOE's website. Topics included reviewing disproportionality data and utilizing data workbooks. IDOE and IRNs were involved in the creation and facilitation of these webinars as well as available for follow up conversations or in person onsite visits afterwards.
- OSA developed a [Reporting Webinar Series](#) to help educators analyze alternate assessment data found on the I AM reports.

#### Targeted Support Activities for LEAs Exceeding the 1 Percent Cap (Required):

- IDOE confirmed that LEAs completed the online Alternate Assessment Assurance and Justification Survey. This survey requires LEAs to project whether they anticipate exceeding the 1 Percent Cap for the present school year. If yes, the LEA provides justification for needing to exceed the 1 Percent Cap and assurance that they will review disproportionality data of students in any subgroup taking the alternate assessment. Assurances are also made that relevant general and special education staff will participate in the Alternate Assessment Participation Webinar. If LEAs do not anticipate exceeding the 1 Percent Cap, the LEAs can signify this.
- If LEAs are out of compliance for indicators 4A/B, 9, or 10, the 1 percent disproportionality data may also be addressed when technical assistance is provided by IDOE or one of the IRNs.

#### Targeted Support Activities for LEAs Exceeding the 1 Percent Cap (optional):

- IDOE has provided LEAs with a list of all STNs that fall under the primary disability category of Orthopedic Impairment, Emotional Disability, Specific Learning Disability, Language or Speech Impairment, and Other Health Impairment within the RDA Planning Tool. IDOE has asked LEAs to review IEPs for these students and consider a possible reevaluation before the 2021 administration of I AM.
- IDOE will provide support to LEAs with respect to their RDA determinations.

### **C. Disproportionality**

IDOE utilizes a relative risk ratio to analyze alternate assessment participation data for disproportionality for all subgroups of students. The relative risk ratio compares the risk of participating in the alternate assessment for each subgroup at the LEA level to the risk for all other students at the same LEA. A ratio of 1.0 for a subgroup means that the rate of participation of the subgroup in the alternate assessment is proportionate to the rate of participation for students not in the subgroup. A ratio that exceeds 1.0 indicates potential over-identification, while a risk ratio below 1.0 describes

potential under-identification of a subgroup for participation in alternate assessment, as compared to all other students. Below is a list of subgroups included in the analysis.

1. Racial/Ethnic Groups:
  - a. American Indian or Alaska Native
  - b. Asian
  - c. Pacific Islander or Other Pacific Islander
  - d. Black or African American (not Hispanic)
  - e. Hispanic or Latino
  - f. White (not Hispanic)
  - g. Two or more races (Multiracial not Hispanic)
2. LEP: Yes or No
3. Socio-Economic Status (as determined by Free and Reduced Price Lunch Status): Yes or No
4. Gender: Male or Female

The disproportionality analysis allows IDOE to determine if any subgroup is more frequently identified than all other students to participate in the alternate assessment. Analysis of these data will allow IDOE to focus on reducing disproportionality in the participation of students in the alternate assessment for individual subgroups. Information collected through the disproportionality analysis will provide additional information to address and reduce the overall percentage of students participating in the alternate assessment.

As accepted by the Office of Special Education Programs (OSEP), Indiana's Special Education State Performance Plan/Annual Performance Report (SPP/APR) states that disproportionality exists if the relative risk ratio for a subgroup meets or exceeds 2.0. IDOE uses the following formula to calculate the relative risk ratio for each subgroup:

- **The risk of participating in the alternate assessment by students in the subgroup:** The number of students in the subgroup who participated in the alternate assessment divided by the number of students in the subgroup who participated in either the statewide or alternate assessments in the LEA.
- **The risk of participating in the alternate assessment by all other students (comparison group):** The number of students in the comparison group who participated in the alternate assessment divided by the number of students in the comparison group who participated in either the statewide or alternate assessments in the LEA.
- **The risk ratio for the subgroup:** The risk of the subgroup divided by the risk of the comparison group multiplied by 100.

Addressing any disproportionality in the percentage of students in any subgroup taking the alternate assessment was discussed in one of the IDOE/IRN webinars that is publicly posted.

LEAs provided assurance that they are addressing any disproportionality in the percentage of students in any subgroup taking the alternate assessment through the submission of IDOE's survey.

**Table 8: Timeline for all Requirement 4 Components**

Date	Activity
October 16, 2017	<b>Original 1 Percent Waiver Request submitted to USED</b>
January 5, 2018	Memo of notification and required actions sent to LEAs who exceeded the 1 Percent Cap
January 15, 2018	2017-2018 ISTAR Operational Window opens
January 2018	New OSA Accessibility Specialist position created
February 5, 2018	Communication CoP Meeting
February 16, 2018	IDOE presentation to ICASE regarding 1 Percent
February 21-22, 2018	Attend CCSSO ASES meetings in Miami
February-July 2018	IDOE and IRN provide technical assistance to corporations by request
February 2018	IDOE and IRN review corporation surveys and develop technical assistance options
April 13, 2018	Webinar requesting stakeholder input on justifications from survey
April-May 2018	Revision of Content Connectors with educator committees
May 14, 2018	Communication CoP Meeting
June 2018	Disproportionality data disaggregated and submitted to IDOE by Center on Education and Lifelong Learning (CELL)
June 8, 2018	IDOE and IRN Meeting to discuss Technical Assistance Plan
June 14, 2018	I AM Test Blueprints constructed by educator committees
June 26-27, 2018	Attend CCSSO ASES meetings in San Diego
July 1, 2018	Transition to new system of assessments (I AM and ILEARN)
July 12-13, 2018	I AM Item Specifications constructed by educator committees
July 17, 2018	IDOE and IRN Accommodation vs Modification Meeting
July 19, 2018	IDOE and IRN Meeting to discuss Technical Assistance Plan
July 25, 2018	Policy Performance Level Descriptors developed with stakeholder group
August 2018	I AM Blueprint and Item Specification Webinars developed
August 6, 2018	I AM Passage Review Meeting with educator committees
August 13, 2018	IDOE Assessment and Graduation Pathways Webinar for INSOURCE
August 14, 2018	IDOE and IRN Accommodation vs Modification Meeting
August 16, 2018	IDOE and IRN RDA and Technical Assistance Tracking Meeting
August 16-17, 2018	Webinar: Understanding Indiana's Alternate Measure (I AM)

August 23, 2018	IDOE ARC of Indiana (parent stakeholder group) assessment presentation
August 23, 2018	Webinar: I AM Overview
September 1, 2018	I AM Educator and Family Brochures posted to I AM Portal
September 5, 2018	IDOE and IRN Meeting to discuss Technical Assistance Plan
September 6, 2019	Released Items Webinars
September 10, 2018	Communication CoP Meeting
September 11-13, 2018	I AM Performance Level Descriptor Meeting with educator committees
September 14, 2018	I AM Policy Performance Level Descriptor Meeting with stakeholder group
September 21, 2018	RDA Stakeholder Meeting
October 1, 2018	I AM Item Specification posted to I AM webpage
October 1, 2018	I AM Released Items Repository available on the I AM Portal
October 2-3, 2018	I AM Content Webinar
October 3, 2018	TAC Meeting
October 5, 2018	IDOE and IRN Meeting to discuss Technical Assistance Plan
October 5, 2018	IDOE presentation to ICASE
October 10, 2018	I AM Practice Test available
October 12, 2018	IDOE and INSOURCE 1 Percent Waiver Meeting
October 17-18, 2018	1 Percent NCEO Convening in Boston; Indiana presents on 1 Percent and RDA
October 18, 2018	Certificate of Completion Presentation to math specialists in IDOE School Improvement, 1 Percent slide in presentation
October 29-November 15, 2018	I AM Cognitive Labs
November 2018	Targeted School Intervention status released to schools; IDOE will provide technical assistance
November 7-8, 2018	IDOE INSOURCE In-Service Presentation
November 8, 2018	IDOE 1 Percent Presentation to INSOURCE staff
November 9, 2018	IDOE State Advisory Council 1 Percent Presentation
November 9, 2018	ILEARN/I AM Standard Setting Benchmark Review with Policy Committee
November 20, 2018	Project SUCCESS (IRN) Certificate of Competition training (1 percent discussion included)
November 27, 2018	LEA RDA determinations delivered; RDA technical assistance provided by IDOE and IRNs; specific compliance technical assistance

	provided for overlapping disproportionality (Indicators 4, 9, and/or 10 and 1 Percent)
November 27-29, 2018	I AM Content and Fairness Meeting with educator committees
December 2018	IDOE Formative Assessment Webinar for Educators of Students with Significant Cognitive Disabilities released
December 3-14, 2018	Waiver Extension Request posted for public comment
December 3-14, 2018	IDOE recorded updated 1 Percent Webinar
December 4-7, 2018	IDOE videotaping of I AM teachers and students for use in test administration examples
December 17, 2018	I AM Policy and Performance Level Descriptors posted to IDOE website
December 17-21, 2018	Review of public comment and update of Waiver Extension Request
<b>December 21, 2018</b>	<b>1 Percent Waiver Extension Request submitted to USED</b>
December 2018-January 2019	Spring Pretest Workshops for CTCs
January 14, 2019	Indiana Inclusive Communication Matters Meeting
January 24-25, 2019	TAC Meeting
February 4, 2019	RDA Data Retreat-North Central Roundtable
February 15, 2019	RDA Data Retreat-Central Roundtable
February 19, 2019	RDA Data Retreat-Northwest Roundtable
February 22, 2019	RDA Data Retreat-Southeast Roundtable
February 25, 2019	RDA Data Retreat-Southwest Roundtable
February 25-March 1, 2019	I AM Test Administration Trainings
March 1, 2019	RDA Data Retreat-Northeast Roundtable
March 4-8, 2019	I AM Test Administration Trainings
March 7, 2019	Presented 1 Percent disproportionality information at NCEO 1 Percent CoP virtual meeting
March 15, 2019	RDA Data Retreat-East Roundtable
March 18-22, 2019	I AM Test Administration Trainings
March 18, 2019	LCI Opens for Test Administrator completion
March 29, 2019	I AM TA User Guides and FAQ posted to I AM Portal
April 8-May 17, 2019	I AM Operational Window
April 10, 2019	1 Percent Data Webinar
April 22, 2019	Indiana Inclusive Communication Matters Meeting

May 6, 2019	Accessibility Advisory Committee Meeting
May 17-31, 2019	I AM Feedback Survey Window
May 22, 2019	1 Percent Disproportionality Data Webinar
May-August 2019	I AM Reporting Webinar Series
June 3-4, 2019	TAC Meeting
June 17-18, 2019	Item Data Review with educator committees
July 1, 2019	2019-2020 Accessibility and Accommodations Guidance released
July 22-24, 2019	I AM Standard Setting
July 24, 2019	I AM Policy Committee Meeting
August 5-7, 2019	New CTC Training
August 15, 2019	Online Reporting System (ORS) deploys
August 26-27, 2019	I AM Content and Fairness Meeting with educator committees
August 28, 2019	1 Percent Disproportionality Webinar for LEAs
September 9, 2019	Indiana Inclusive Communication Matters Meeting
October 1, 2019	2019-2020 I AM Brochures for Families and Educators posted to IDOE's Website
October 1, 2019	Updated 2019-2020 Released Items Repository and Understanding I AM Webinar posted to I AM Portal
October 2019	Learner Characteristics Training and guidance regarding substitutions and adaptations for the I AM assessment available publicly
October 9-10, 2019	TAC Meeting
October-November 2019	IDOE conducted five LEA 1 Percent visits
November 6-8, 2019	I AM Alignment Study
November 14-15, 2019	Assessment Literacy Conference
November 25, 2019	Indiana Inclusive Communication Matters Q and A Webinar with Stephanie Thompson and Karen Davies
December 2019-January 2020	Spring Pretest Workshops for CTCs
December 5, 2019	Present to NCEO 1 Percent CoP on potential 1 Percent research study
December 13, 2019	Accessibility Advisory Committee Meeting
December 19, 2019	IDOE record updated 1 Percent Webinar
December 23, 2019-January 6, 2020	Post and review public comment and update Waiver Extension Request
<b>January 6, 2020</b>	<b>1 Percent Waiver Extension Request submitted to USED</b>



January 9, 2020	1 Percent Training Posted to IDOE Website
January 13, 2020	Justification Survey sent to all corporations over the 1 Percent
January 22-23, 2020	TAC Meeting
January 27, 2020	IICM Meeting
February 2020	RDA Roadshows
February 18-19, 2020	Attend CCSSO ASES Meeting in New Orleans
February 24, 2020	Justification Survey results posted to IDOE website
February 27, 2020	1 Percent one-pager for families posted to IDOE website
February 27, 2020	1 Percent Research Project Kick-off
February - March 2020	New I AM TA Training Webinars
March 9, 2020	I AM TA Certification Course Deploys
March 13, 2020	I AM Operational Window cancelled due to COVID-19
March 26, 2020	Indiana shares COVID-19 resources on NCEO call
April 1, 2020	Indiana rescinds Waiver Extension Request due to COVID-19 Waiver
June 15, 2020	American Institutes for Research (AIR) rebranded as Cambium Assessments Inc (CAI)
June 18-19, 2020	Participation in CCSSO ASES meeting
June 19, 2020	Registration information shared for 1 Percent Webinar Series for New Educators of Students with Significant Cognitive Disabilities
June 23-25, 2020	I AM Content and Fairness Review with educator committees
June 24, 2020	Accessibility Advisory Committee Meeting
June 26, 2020	IDOE submits for Peer Review
June 30, 2020	IDOE submits a proposal for the Competitive Grants for State Assessments Program for the alternate assessment
July 15, 2020	Assessment Literacy Conference
July 15, 2020	2020-2021 Accessibility and Accommodations Guidance released
August 7, 2020	1 Percent Training posted to IDOE website
August 7, 2020	Live Binder of resources for IIEP Teams posted to IDOE website
August 13, 2020	I AM Webpage Refresh: Includes updates to No Mode of Communication Guidance, I AM brochures, and Biology End-of-Course Participation Guidance
August 19, 2020	Webinar 1: The Indiana Resource Network
September 19, 2020	Webinar 2: Unpacking the Content Connectors
October 2, 2020	Accessibility and Accommodations Training posted to I AM Portal

October 14, 2020	Webinar 3: IIEP Tips and Tricks
October 26 - November 6, 2020	Waiver Extension Request Public Review Period
November 13, 2020	RDA Planning Tool sent to corporation with 1 Percent data and request for justification/assurances
November 18, 2020	Webinar 4: A Focus on the I AM Assessment
December 2020	Spring Pretest Workshops for CTCs
December 14, 2020	IICM Meeting
December 18, 2020	1 Percent Justification Survey due
<b>December 28, 2020</b>	<b>1 Percent Waiver Extension Request submitted to USED and posted to IDOE website</b>
January 8, 2021	1 Percent Justification Survey results posted to IDOE website

### Public Comment

IDOE provided direct information to stakeholders via email, including notifications regarding the changes pursuant of ESEA §111(b)(2)(D) and 34 CFR 200.6(c) and (d) to the 1 Percent Cap on Alternate Assessment Participation, a copy of the Indiana 1 Percent Cap Waiver Extension Request, and guidelines for submitting comments to IDOE using the online public comment form. Stakeholders included but were not limited to Indiana’s Resource Network, Corporation Test Coordinators, and Special Education Directors. To ensure public access, a copy of the Indiana 1 Percent Cap Waiver Extension Request and guidelines for providing comments were posted on IDOE’s website on the [1 Percent Cap webpage](#). An invitation to comment on the Indiana 1 Percent Cap Waiver Extension Request was also included as part of the Weekly Update sent out to all public LEA superintendents. IDOE allowed two weeks for public comment, closing on November 6, 2020. IDOE received 54 comments, which have been grouped by similar content. IDOE response to each group of similar comments/questions follows at the end of each topical section.

### Submissions Commenting on the 1 Percent Threshold

- “I am greatly in favor of increasing the waiver extension on the number of students who can be tested using an alternate assessment on annual statewide tests. At our high school, our current total enrollment is 635. We currently have 20 Life Skills students who are not on diploma track due to their cognitive ability levels.”
- “If the criteria to participate in the alternate assessment are met, it seems unnecessary to prescribe a limit to the number of students who can meet that criteria. Statistical data can be useful to assist districts in evaluating their process but the defining a cap without regard to a corporation’s demographics seems counter to objective logic.”
- “The 1% cap allows teachers to focus on the students who struggle with the most significant needs. The difficulty is that there will always be a larger percentage of students that do not fall into either the state testing requirement or the alternate assessment. Although schools strive to work toward grade level standards, many students’ goals are so far away from those standards, there is barely a correlation. However those students do not fit into the 1% and are expected to test like every other student. We are missing the opportunity to assess them at their individual

levels to be able to interpret their progress within a life skills environment. The 1% is a number. Our students may or may not fit into that 1%. We strive to hold individualized case conferences with individualized services but are then expected to assess them like any other student. Doesn't seem parallel or consistent with what special education stands for.”

- “The 1% cap is not realistic for my district, or in any of the districts that I have taught. There are more than 1% of our students who are completely incapable of taking our rigorous general education state tests. We have to put students on ILEARN who can't even sit in a chair and focus, because we don't want to exceed the cap. Sadly, more than 1% of our students cannot be adequately tested by our state tests.”
- “I am in favor of raising the 1% cap on students taking an alternative assessment. The number of students who qualify for an alternative assessment has increased over the years, and they should be allowed to take the appropriate assessment without penalizing the school district.”
- “I have been a general education teacher, as well as a special education teacher. I have never believed that 1% has been high enough. There has to be a better way to figure the percentage; for example: Base the percentage on how many students are considered 'severe to profound' disabilities within a school building and allow alternative testing for these students. These standardized tests give the general education students, teachers and administrators anxiety in every school building throughout Indiana. These anxieties only intensify for all the special education students you have in the school building and what disabilities are associated with those students.”
- “As an SLP who works closely with students with a wide variety of special needs, I fully support increasing the percentage of students who are allowed to take the Alternative Assessment. Increasing the allowed percentage will only benefit our students. As educators, it is our duty and one of our core responsibilities to provide students with specially designed instruction that pertains specifically to their abilities, yet we are told we cannot provide this same service to the wide variety of students receiving special education when it comes to state assessment. This robs our students of the opportunity to be successful when taking a standardized assessment and creates anxiety for each student.”
- “The alternate assessment should meet the needs of an individual and not a quota. If two people have a broken leg, why would you only allow one to use crutches? Yet, schools are expected to make a similar decision every year when it comes to alternate assessments.”
- “I am not completely comfortable with this 1% and the fact that more students aren't able to take the ISTEP/ILEARN as they are so far off their grade level that it is more detrimental for them to take the test. The results for those students provide no meaningful feedback to students' families and nothing to the teachers. If we could have at least an option for the I AM assessment to be for diagnostic purposes and help with instruction and to know where the student is truly performing that might be a happy medium. We would still take that "hit on accountability" but it would give good info for students/families/teachers.”
- “I think realistically there are more than 1 student out of every 100 that would be better served with I AM data. It would not be a large amount, but come high school those numbers go up. We have many students that are non-diploma due to the rigor of those requirements no matter the level of support/accommodations etc that are unit points and not credit points.”
- “I am in favor of increasing the amount of students that are allowed to take the alternative assessment.”

- “Indiana has continued to work to ensure that only appropriate students are being assessed through the alternate assessment. The guidance issued by the DOE has been extremely helpful for teachers and parents. I am an administrator for a large, suburban district on the IN/IL border. Families move to our district for the quality services we provide and due to the perception that services are better in IN. We also have a residential facility within our boundaries with a program specifically for students who meet the alternative assessment criteria. These two factors cause our district to routinely exceed the 1% cap. The number itself seems arbitrary. A better metric would be to review the students the district is assessing and determine if the assessment option is accurate rather than relying on a set number that does not seem to have any rationale for why it was selected.”
- “Our students' needs and what is most appropriate for them shouldn't be determined by a "cap." Special education is literally meant to be individualized, and by requiring each school district to fall under the exact same specific guideline for alternative assessment, it's hypocritical. Districts' needs vary drastically given their sp. ed. population. Let's keep in mind that the success of the student is what matters, not the number of kids taking a specific level test. Quality over quantity any day.”
- “In my school district, the number of alternative assessments given varies from year to year. We should not have students take the ILEARN and be frustrated during this entire assessment just so we don't go over the 1% cap. Also curious where the 1% came from. It is not only our Moderate Cognitively Impaired Students that are not able to participate effectively in the ILEARN, but also several of our students with Autism, OHI (mainly for seizures), some students with Orthopedic Impairments. I completely agree that students with a Specific Learning Disability or a Speech or Language Impairment should be given the Alternative Assessment, but having a 1% cap adds added stress to our administrators, teachers, and most importantly our students.”
- “In my district, we take pride in our process to determine who takes the alternative assessment. We do what is right for students and sometimes we go past the 1%. It is more important to us that children's needs are met. It is incredibly sad to ask a student who is not going to be able to read let alone pass the ILEARN to take the test simply because we have met our 1%. With all due respect, educators' expert opinions who are on the front lines should be trusted to make these hard decisions with all of the stakeholders in the case conference.”
- “Thank you for allowing me to submit feedback regarding the 1% waiver. As a special education director working to serve a cooperative that includes 5 school districts, we strive to always carefully follow each guideline for determining if a student should participate in the alternate assessment. These decisions are not made easily. They are never made in an attempt to make things easier for the school or child. Rather, the decision for a student to participate in the alternate assessment is based on eligibility criteria AND need. In 10 years of serving in this role, I have never identified a student that participated in the alternate assessment that should not have done so. Despite the fact that I am often over the 1%, I can confirm that these students are eligible for and truly need to take the alternate assessment. Article 7 requires that we provide services and supports for students based upon their unique and individual needs. It is unfortunate that schools who strive to provide the legally required supports and assessments that are necessary based on the disability are "in trouble" when they exceed the 1% cap. The fact that Indiana exceeds the cap by only 0.14% is evidence that schools are not using the alternate assessment as a means of escape from failing scores on the standard assessment.

Rather, it is evidence that Indiana schools are simply doing what is right for kids. Thank you, again, for this opportunity to provide feedback regarding the 1% cap and the extension request for Indiana.”

- “<district name redacted> exceeds our 1% because we are a large district and we accept transfers from small neighboring districts. Parents choose our corporation and programs because of our size we can offer considerably more services than neighboring smaller districts. This presents a problem for us when we exceed the 1% cap.”
- “Alternate assessments are set too strictly. Following the criteria puts us above 1%. We have a facility for students with significant disabilities, and this adds to our numbers meeting criteria for alternate assessment. It remains appropriate for our students who have mild disabilities to continue working toward meeting their grade level standards, but many of our low "mildly" disabled students simply have not been able to reach a standard that enables them to successfully participate in the general ed classroom, gaining the skills they need in order to pass the state assessments. I am talking about just a few students whom it feels almost like a disservice. This is even hard to admit because I truly believe all students can thrive in the general class with appropriate accommodations. We do have some outliers though. As far as meeting the 1% for year 19-20, it seems like we aren't even measuring the same thing for that year. The students did not take the test, and therefore there is nothing to measure for that year.”
- “Over the past three years, our schools have worked diligently to make well-informed and data-driven decisions that aligned with alternate assessment guidance in an effort to reduce the number of students participating in the alternative assessment. We have now reached a point where the remaining students on alternate assessment are those with moderate/severe intellectual disabilities or multiple disabilities. Many of these are related to hereditary syndromes and significant medical conditions that run through a cultural subgroup in our community. These students do have significant cognitive disabilities, modified curriculum, and require a significant level of assistance to participate in daily learning activities. Despite our efforts, some of our schools are still exceeding the 1% participation.”
- “It is an extremely hard balance for us to make decisions on the best needs of students while also trying to stay under a number. All students should have those of us in education advocating for the best possible outcome for a student without the stress of a 1% compliance rate. This arbitrary number seems to be a roadblock for the appropriate needs of all students.”
- “I have been in Special Education for 35 plus years and have supported students all grade levels and eligibility areas. The 1% cap for the alternative assessment is not appropriate. The standards for children are very challenging even for ID mild students and other disabilities that affect student learning: ASD, ED and combination of these areas of disability. All educators want the best for all students but we must be able to do what is best for students, not limit us to 1%. If we are looking at the number and not what is best for the student, we are doing them an injustice. We are supposed to look at the child as an individual and do what is best for the child, not what is best for the federal government who have not been directly related to the children. You cannot just pick a number, look at the statistics of the number of students taking the test and find a logical average. Thank you for your consideration.”
- “We have a great intense intervention program and draw students from other districts to our district. This causes us to go over our 1% cap. I feel like we are being punished for doing a great job with this population.”

- “The simple fact that one would even consider that a portion of the population, in this case those who need the alternate assessment, always has a maximum number of qualifiers is unreasonable.”
- “As a school counselor, it is my best professional opinion that the cap should be increased. When knowing the value of each of these students outweighs the numeric value, it is acceptable to expect that certain demographics, environmental factors, and biological differences may play into the number of individuals who may need to be tested using this alternative assessment. Making a reduction on paper does not make a reduction in real-life student needs.”
- “As an administrator, it is my best professional opinion that the cap should be increased. When knowing the value of each of these students outweighs the numeric value, it is acceptable to expect that certain demographics, environmental factors, and biological differences may play into the number of individuals who may need to be tested using this alternative assessment.”
- “As an administrator, it is my best professional opinion that the cap should be increased. When knowing the value of each of these students outweighs the numeric value, it is acceptable to expect that certain demographics, environmental factors, and biological differences may play into the number of individuals who may need to be tested using this alternative assessment. Making a reduction on paper does not make a reduction in real-life student needs.”
- “I have a hard time placing every school district with a 1% cap. Different populations will have different results. How do we put the same cap on all schools when we have schools with 90% poverty versus those with less than 20 percent. There has to be a better way to determine if a student should receive a waiver. The waiver shouldn't be a percent, but determined based on a child's disability. It sickens me to hear stories on disabled students who have to take an assessment and are answering by blinking or moving their head. How fair is that?”
- “The inconsistency of severe/profound students in a testing grade level cannot be controlled and a school corporation shouldn't be held accountable negatively.”
- “It is the responsibility of the LEA to provide a meaningful, student-centered program that meets the needs of students with special needs. The LEA should not have to worry that what is best for the student, may potentially put the district over the 1% cap of students taking an alternative assessment.”
- “As a small school corporation only being able to have 1% of our population take the alternate assessment causes us to go over the cap. We have worked hard to develop a rigorous program for our students with significant need. Due to this, we also draw families to our district from the surrounding area. This adds to the number of students who qualify to take this assessment. The cap on top of an already small overall student population plus drawing in additional students means we are over the 1%.”

**IDOE Response: The 1 Percent Cap on Alternate Assessment Participation is federal law under the Every Student Succeeds Act (ESSA). The United States Department of Education (USED) cannot change this law, but it can produce regulations to clarify how to meet the law. This was done by identifying a negotiated rule-making committee. The recommendations of that committee are the basis for regulations. USED wants states to strive to meet the 1 percent threshold, and it believes training Case Conference Committees (CCCs) to identify students appropriately for participation in the alternate assessment (only those students with the most significant cognitive disabilities) is the most important goal for states to emphasize.**

**The decision to place a cap on alternate assessment participation was likely influenced by the fact that alternate assessment participation has steadily increased since 2001. 2017-2018 data shows only around 12 states are at or below 1 percent because there is a focus on high expectations for students with disabilities, including students with the most significant cognitive disabilities.**

**Indiana is required to submit a 1 Percent Waiver Extension Request to USED because IDOE anticipates exceeding the 1 Percent Cap on Alternate Assessment Participation. Through this request, Indiana has demonstrated how the state has made significant progress to meet this goal over the past several years.**

#### Submissions Expressing Support of Indiana's 1 Percent Waiver Extension Request

- "I agree with the proposal of the waiver extension that is very much needed at this time."
- "If the goal of assessments is truly to understand what the students know, then we should have a waiver extension on the number of students who can be tested using an alternate assessment on annual statewide tests. I am in favor of the waiver because alternate assessments give me actionable data for students who qualify to take this."
- "I believe students should take the correct assessments for their disability and if that is over 1% in Indiana I support the waiver."
- "While we continue to work toward students being able to participate in assessments other than the alternative assessment we need to do what is best for students. We continue to review each child's needs individually. The waiver will allow us to continue to allow children to participate in the appropriate assessment without the worry and frustration of meeting a criteria which in some cases is impossible to meet."
- "I feel that this waiver extension is beneficial to our most vulnerable/at risk students. Without this waiver, schools are forced to have students taking assessments above their ability level in order to meet the cutoff set by the federal government. In our corporation's situation, we are rural and we have a low socioeconomic population, and we are very small. We do not have a life skills program so our most severe students attend school in another corporation. With approximately 1500 students, only 15 can take an alternative assessment. Most of those students are in life skills programs. We do have several students with the eligibility of intellectual disability that are in classes with their peers in their home school corporation with a modified curriculum. Because our corporation is small, we can keep students in the least restrictive environment longer, typically until at least 7th grade. These students work hard. It is heartbreaking as an educator to then set them up to fail by giving them an assessment that is far above their ability level."
- "I am in favor of the proposed waiver. Our students are in need of the waiver. Please do what is in the best interest of our students."
- "<district name redacted> will need the waiver extension due to our small enrollment as well as having received several move-in students who were already on the alternate assessment."
- "I am in agreement with the extension request."
- "I fully support the IDOE waiver request for the 1% alternate assessment cap. Having just reviewed the application, I have found it well-aligned with my district's efforts to ensure that 1% or less of students are assessed using alternate assessment. The efforts discussed in the plan

have proven instrumental in reducing the number of students assessed using alternate assessment.”

- “I believe the waiver on limits to alternative assessments should be extended. We are a title 1 school, with many students who are not cognitively or developmentally able to complete standard assessments and require alternative options to meet their needs and to accurately reflect their abilities. Additionally, 1% is an extremely low number when you look at the growing number of students with developmental and cognitive disabilities. I'm not sure how it is deemed appropriate to put a limit on how many students should and should not be able to complete a standard assessment. As educators, specifically as a speech therapist, we are taught that ethically, we should be providing individualized instruction. If a student requires an alternative assessment to ethically meet that requirement, the school should not be penalized for the case conference committees decision to provide a student with alternative options.”
- “I believe each student should take the assessment that is appropriate for them and if that means going over 1% in Indiana, I am for the waiver.”
- “I support the waiver extension.”
- “As a district leader, I support the IDOE seeking the waiver extension.”
- “I believe this waiver extension should be granted without reserve. The decision for a student to participate in the alternate assessment is a CCC decision, and the amount of students statewide who need this option cannot always be planned for. Given the fluidity of this number, the waiver is essential. Thank you for your time and consideration.”
- “Please continue to offer the waiver to forgive schools who exceed the 1% cap. I teach in a classroom of 20 moderate/intense level special education students, many who struggle with the alternate assessment for a variety of reasons, including, but not limited to, communication deficits, cultural differences, behavior, and intellectual functioning. In addition, I see four students who are permanently homebound due to health reasons. I cannot imagine having to subject my students to the traditional state assessment. Our community has a high level of severe and multiple disabilities with genetic links. Ten of my students have a sibling also in my intense level program. That said, 1% seems like a cruel and unobtainable expectation given our circumstances. It is neither the fault of the students, teachers or school district that we have a high concentration of students needing to be assessed in a way that better suits their needs.”
- “I support the request to extend the limits on Indiana's alternative assessment.”
- “I support the IDOE in seeking a waiver extension to the law that limits alternative assessments.”
- “As a Director of Special Services, I am absolutely supportive of the waiver extension request. We continue to work diligently to reduce the percentage of our students who participate in alternate assessments, however we are not yet at or below 1%.”
- “I support the extension of the 1% cap. We as educators do work diligently to work to limit the alternate assessments, but there comes a time when due to small enrollment or area of concentration with students of special needs, this must be put to the side and the student come first! Thank you for considering to support this extension.”

**IDOE Response: Thank you for reviewing Indiana’s 1 Percent Waiver Extension Request to USED and for expressing support with the submission.**



## Other Submissions

- “The population that takes I AM, the alternative testing, are all our severe and profound population of students. We also have children with autism that are functioning at a severe cognitive level. The remainder of our students take the ILEARN or ISTEP+.”
- “In my experience, I do not find teachers to make the decision to put students on Alternative Assessment as a hasty decision. Teachers make this decision after many interviews with teachers and a hard look at the data they are presented.”
- “We cannot determine participation in alternate assessment based solely on primary disability. There are many students who may have a primary disability other than an intellectual disability with cognitive scores within the moderate/severe range. School corporations with open enrollment accept students whose conferences have determined participation in alternate assessment. Their case conference committees determined that I AM was the appropriate state assessment. Upon moving into our district, the school psychologists completed a thorough file review and a culturally responsive rubric for all students with intellectual disabilities. Reevaluations are triggered for any move in or current student who did not meet the alternate assessment criteria to ensure that the case conference committees are making these determinations based on data. If the student meets the criteria for participation the ccc needs to determine what is in the best interest of the student.”
- “<district name redacted> anticipates that approximately 1.49% students will be assessed using the alternate assessment during the 2020-2021 school year. We are requesting a waiver extension to the 1 percent cap for one year. <district name redacted> students participating in the alternate assessment have significant intellectual disabilities. Our Corporation has a community that draws many families with students with significant intellectual disabilities to the area. Our district has a large amount of Charter Schools who do not service this population effectively. Due to <district name redacted> open enrollment, students come from all over the lake county area to attend our schools. Our school district is located in a transient area. We experience constant changes in enrollment due to being located on the state border between Indiana and Illinois. Special Education teachers, General Education teachers, Building Administrators, Corporation/Building Test Coordinators, Special Education Directors/Assistant Directors/Coordinators, and School Psychologists continue to review the required DOE documents (flowchart, video, faq, guidance, in the alternate assessment, dis-proportionality data) and refer to these documents when determining student's participation in the alternate assessment.”

## **IDOE Response: Thank you for following the [Criteria for Determining Participation in the Alternate Assessment in Lieu of the General Education Assessment \(Participation Guidelines\)](#).**

- “I am a teacher of students with severe disabilities. The option must be available to school systems to use alternative testing for these students. These students attend school daily and work to the best of their ability. They need opportunities to demonstrate the skills they have worked so hard to achieve. The standardized "typical" tests do not give them these opportunities.”

**IDOE Response: Under ESSA, this option is available for students with the most significant cognitive disabilities. For this reason, IDOE worked with educators to develop Indiana's Alternate Measure (I AM).**

- “I feel we are giving students that do not have the mental ability to take a general education standardized assessment, which gives us zero data to build an accurate IEP for those students. The school system should not be penalized for the number of students with below IQs that cannot take a general education standardized assessment. Assessments are to help us individualize educational plans for every special needs student. We cannot do this if Indiana continues down this path.”

**IDOE Response: Indiana stands by its Alternate Assessment Participation Guidelines. If a case conference committee determines a student should take the alternate assessment in lieu of the general education assessment, the corporation is not penalized. If that corporation assesses more than 1 percent of its students using the alternate assessment, IDOE will ask for assurances that only those students with the most significant cognitive disabilities have been identified as alternate testers. IDOE will continue to offer support to schools throughout the decision making process and the alternate assessment test window. Alternate Assessment data is intended to help case conference committees make informed decisions regarding student progress.**